

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

YOLANDA YEVETTE MIMS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

NO: 13-CV-5132-TOR

ORDER REMANDING CASE

BEFORE THE COURT is the parties' Stipulated Motion to Remand (ECF No. 19). Based on the parties' stipulation, this case is hereby remanded to the Commissioner of Social Security for a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS HEREBY ORDERED:

1. The parties' Stipulated Motion to Remand (ECF No. 19) is **GRANTED**.

The Commissioner's decision regarding Plaintiff's application for supplemental security income disability benefits under Title XVI of the

1 Social Security Act is **REVERSED** and **REMANDED** to the Commissioner
2 of Social Security for a *de novo* hearing pursuant to sentence four of 42
3 U.S.C. § 405(g).

- 4 2. On remand, the ALJ shall update the record, hold a *de novo* hearing, and
5 issue a new decision. The ALJ shall give further consideration to the record
6 medical opinions, including the opinions of Renee Eisenhauer, Ph.D., Erica
7 Rubin, Psy.D., and Edward Beatty, Ph.D., pursuant to the provisions of 20
8 C.F.R. § 416.927(e) and Social Security Rulings (SSRs) 06-03p and 96-6p.
9 The ALJ shall also give further consideration to Plaintiff's maximum
10 residual functional capacity and provide appropriate rationale with specific
11 references to the record evidence in support of the assessed limitations
12 pursuant to 20 C.F.R. §416.945 and SSRs 85-16 and 96-8p. As necessary,
13 the ALJ shall also obtain supplemental evidence from a vocational expert to
14 clarify the effect of Plaintiff's assessed limitations on the occupational base
15 pursuant to SSR 85-15.
- 16 3. Plaintiff will be entitled to reasonable attorney's fees and costs pursuant to
17 28 U.S.C. § 2412(d), upon proper request to this Court.
- 18 4. All pending motions are **DENIED** as moot.

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1 The District Court Executive is hereby directed to enter this Order, provide
2 copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

3 **DATED** July 23, 2014.



A handwritten signature in blue ink that reads "Thomas O. Rice".

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5 THOMAS O. RICE
6 United States District Judge
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